

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ACRISURE, LLC,

Plaintiff,

Case No. 1:22-cv-17

v.

Hon. Hala Y. Jarbou

MARC HUDAK,

Defendant.

ORDER

Defendant Marc Hudak removes this action from state court based on diversity jurisdiction.

(*See* Corrected Notice of Removal, ECF No. 2.) Defendant has the burden of establishing subject matter jurisdiction. *See Paul v. Kaiser Found. Health Plan of Ohio*, 701 F.3d 514, 520 (6th Cir. 2012). Plaintiff is a limited liability company, but Defendant has failed to allege the citizenship of the company’s members. *See V & M Star, LP v. Centimark Corp.*, 596 F.3d 354, 356 (6th Cir. 2010) (noting that limited liability companies have the citizenship of each of their members).

When diversity jurisdiction is invoked in a case in which a limited liability company is a party, the court needs to know the citizenship of each member of the company. And because a member of a limited liability company may itself have multiple members—and thus may itself have multiple citizenships—the federal court needs to know the citizenship of each “sub-member” as well.

Delay v. Rosenthal Collins Grp., LLC, 585 F.3d 1003, 1005 (6th Cir. 2009). The Court can raise this jurisdictional issue *sua sponte*. *Answers in Genesis of Ky., Inc. v. Creation Ministries Int’l, Ltd.*, 556 F.3d 459, 465 (6th Cir. 2009). Defendant’s notice of removal is defective because neither it nor the complaint identifies the citizenship of the members of Acrisure, LLC.

Accordingly,

IT IS ORDERED that Defendant must **SHOW CAUSE** within fourteen days of the date of this order why the Court should not remand the case to state court for lack of subject matter

jurisdiction. Defendant must file an amended notice of removal correcting the defect noted or demonstrate why such correction is not necessary. Failure to comply will result in a remand.

Dated: January 10, 2022

/s/ Hala Y. Jarbou

HALA Y. JARBOU
UNITED STATES DISTRICT JUDGE